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RESOLUTION NO. 2575

A RESOLUTION OF THE COMMON COUNCIL OF  
THE TOWN OF GILBERT, ARIZONA TO IMPLEMENT  
MEASURES TO REDUCE REENTRAINED DUST  
EMISSIONS FROM TARGETED PAVED ROADS IN  
THE REVISED PM-10 STATE IMPLEMENTATION  
PLAN FOR THE SALT RIVER AREA

WHEREAS, the Maricopa County nonattainment area has been classified as a Serious Area for PM-10 particulate matter; and

WHEREAS, the Maricopa County nonattainment area continues to record violations of the federal standards for PM-10; and

WHEREAS, additional control measures are required to reduce reentrained dust emissions from paved roads in the Salt River Area and similar sources elsewhere in the PM-10 nonattainment area; and

WHEREAS, Arizona Revised Statutes 49-406 (G) requires that each agency that commits to implement a control measure describe that commitment in a resolution adopted by the governing body which specifies its authority for implementing the measure as provided in statute, ordinance, or rule; a program for enforcement of the measures; and the level of personnel and funding allocated to the implementation of the measure.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Town of Gilbert, Arizona, as follows;

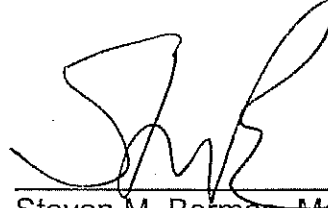
SECTION 1. That the Council of the Town of Gilbert agrees to proceed with a good faith effort to implement the measures identified in Exhibit A which is part of this resolution.

SECTION 2. That the Council of the Town of Gilbert commits to implement the measures as scheduled and with the funding sources identified. Recognizing, however, that the availability of necessary funding may depend on the funding programs or processes of various state and federal agencies, the Town agrees to consider modifications of the funding or schedules for implementation actions, if necessary.

This is Certified to be a true and  
correct copy of this original document

*Patricia A. Gilbertson*  
Deputy Town Clerk Date 3-30-05

PASSED AND ADOPTED by the Common Council of the Town of Gilbert,  
Arizona, this 29<sup>th</sup> day of March 2005.

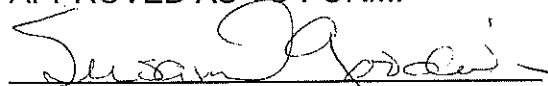


\_\_\_\_\_  
Steven M. Berman, Mayor

ATTEST:

  
\_\_\_\_\_  
Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
Town Attorneys  
By \_\_\_\_\_

## Exhibit A

### TOWN OF GILBERT'S COMMITTED MEASURES TO REDUCE REENTRAINED DUST EMISSIONS FROM TARGETED PAVED ROADS

#### 04-DC-1. Reducing Reentrained Dust Emissions from Targeted Roads

**Measure Description:** The Town of Gilbert has developed a protocol to reduce reentrained dust emissions from paved roads that typically experience a high level of soil deposition. The protocol:

- Identifies targeted "high dust" arterials and collectors and increases sweeping frequencies with PM-10 efficient sweepers to reduce the reentrainment dust emissions from these roads;
- Describes how the protocol constitutes an enhancement or improvement over the commitment made in the Revised MAG 1999 Serious Area Particulate Plan for PM-10 for Maricopa County Nonattainment Area, February 2000.
- Addresses track-out associated with facilities and activities regulated by Maricopa County, by notifying the County when rule violations are observed; and
- Provides for the annual reevaluation of the protocol.

**Responsible Agency and Authority for Implementation:** The Town of Gilbert, Public Works Department, is responsible for implementing this control measure. The Town is authorized to implement this measure by the following:

Arizona Revised Statutes (A.R.S.), Section 9-240, General Powers of Council  
Arizona Constitution, Article 13, Section 2  
A.R.S., Section 28-626: Uniform Application of Laws throughout State  
A.R.S., Section 28-627: Powers of Local Authority  
Code of Gilbert Arizona, Section 1-37: Corporate Powers

**Implementation:** The protocol will be provided to the Maricopa County Environmental Services Department (MCESD) and the Arizona Department of Environmental Quality (ADEQ) and will be implemented during calendar year 2005.

**Level of Personnel and Funding Allocated for Implementation:** The Fiscal Year 2005 Town budget includes the purchase of one additional PM-10 efficient street sweeper (\$158,864) and one additional driver for this sweeper (\$47,556).

**Enforcement Program:** A.R.S. Section 49-406 grants MCESD and ADEQ the authority to enforce measures identified in the nonattainment area plans.

**Monitoring Program:** A reevaluation of the protocol for reducing PM-10 emissions from "high dust" paved roads will be conducted annually by the Town of Gilbert. The reevaluation will be submitted to MCESD and ADEQ, by February 2, of each year, beginning in 2006. The Town will also submit progress reports on measure implementation to MCESD and ADEQ, upon request.

*TOWN OF GILBERT  
PROTOCOL FOR REDUCING  $PM_{10}$  EMISSIONS  
FROM "HIGH DUST" PAVED ROADS*

**PROTOCOL**

The following protocol will be used to identify "high dust" paved roads:

- areas identified by complaints from residents or Town employees;
- areas identified by street sweeper driver logbooks;
- paved arterial streets that have unpaved shoulders in Town of Gilbert right-of-way; and
- paved arterial streets that have unpaved or unstabilized entrances from unpaved roads or alleys.

This protocol will capture potential sources of "high dust" including regulated facilities and activities, adjacent land use, agriculture, heavy-duty vehicle traffic, and high volume traffic roadways.

$PM_{10}$  – efficient street sweepers will be used to reduce re-entrained dust emission from these roads.

**ENHANCEMENT ABOVE PREVIOUS COMMITMENTS**

This protocol constitutes an enhancement by expanding the monthly street sweeping program to include arterials with unpaved shoulders. It also increases the frequency of street sweeping in areas identified as "high dust" by residents, town employees and street sweeper driver logbooks. These areas will be swept at least twice within a four-week period.

**COORDINATION WITH MARICOPA COUNTY**

Track-out identified by residents or Town employees will continue to be reported to Maricopa County Environmental Services Department (MCESD). Areas of track-out that are identified by street sweeper drivers will be reported periodically to MCESD. Immediate reporting is not practical because the area will have already been swept. MCESD can use these reports to investigate regulated facilities and activities that appear to be generating "high dust" conditions in violation of County rules.

**PROTOCOL REEVALUATION**

This protocol will be reviewed at least annually.